

II. Rejections under 35 U.S.C. §§ 102, 103

The Examiner has rejected claims 1-4, 7-8, 11-16, 19, 22-24, and 26-27 under 35 U.S.C. § 102 as being anticipated by Alperovich.

The Examiner has rejected claims 5-6, 9-10, 20-21 and 25 under 35 U.S.C. § 103 as being unpatentable over Alperovich in view of Rieken, and has rejected claims 17-18 under 35 U.S.C. § 103 as being unpatentable over Alperovich in view of Hillis.

Regarding claims 1 and 23: The present invention of claims 1 and 23 is characterized in deciding the charge rate for communication within a wireless cell based on the situation and the threshold having the hysteresis characteristic. According to the invention, the threshold for changing the charge rate has the hysteresis characteristic, thereby suppressing the charge rate from being charged too frequently during communication.

In contrast, Alperovich discloses that when a situation in a wireless cell exceeds a threshold, a charge rate decided by MSC is notified to a wireless terminal and the wireless terminal displays the notified charge rate.

Rieken discloses that a charge rate decided by a service provider is notified to a user terminal where the charge rate is displayed to decide whether to communicate to a user or not.

Moreover, Hillis discloses that a charge rate is decided based on distance between a sender and destination or time zone, the decided charge rate is notified to a user terminal where the charge rate is displayed. Depending on a user input command of communication completion, communication is terminated, otherwise, communication is continued.

None of Alperovich, Rieken, or Hillis discloses or suggests the feature of the claimed invention such as the threshold for changing the charge rate has the hysteresis

characteristic. Accordingly, it is not disclosed or suggested to decide the charge rate for communication within a wireless cell based on the situation and the threshold having the hysteresis characteristic, as recited in claims 1 and 23.

Regarding claims 11 and 26: The present invention of claims 11 and 26 is characterized in controlling connection of the wireless controller based on a charge rate of each wireless cell and a charge rate notified by a wireless communication device. According to the invention, a system may decide to connect a wireless controller to a wireless communication device based on both a charge rate of each wireless cell and a charge rate notified by the wireless communication device, thereby communicating via a wireless controller having a charge rate that is proper for a request from the wireless communication device.

In contrast, none of Alperovich, Rieken, or Hillis discloses or suggests controlling connection of the wireless controller based on a charge rate of each wireless cell and a charge rate notified by a wireless communication device. Accordingly, the cited references do not teach the claimed invention such as controlling connection of the wireless controller based on a charge rate of each wireless cell and a charge rate notified by a wireless communication device, according to the invention.

Regarding claims 14 and 27: The present invention of claims 14 and 27 is characterized in sorting a charge rate set by a user and providing a display based on a charge rate notified by a wireless controller and the charge rate. According to the invention, a wireless communication device may provide the display in accordance with a user's intention.

In contrast, Alperovich, Rieken, or Hillis merely discloses that if a system judges that a charge rate exceeds a charge rate, the charge rate is notified to a user terminal, and the user terminal displays the notified charge rate. However, it is not disclosed or suggested that a user

may set a charge rate for a wireless communication device (user terminal). Moreover, it is not disclosed or suggested to display based on a charge rate notified by a wireless controller and a charge rate set by a user.

As described above, it is respectfully submitted that the inventions defined in the independent claims are not taught by the cited references.

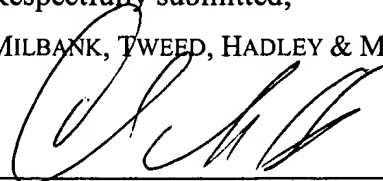
III. Information Disclosure Statements

The applicant has previously filed two information disclosure statements in this application (mailed Feb. 15, 2002 and Apr. 9, 2001), and neither form 1449 was returned with the September 24, 2002 Office Action. We enclose copies of the two previously submitted form 1449's. It is respectfully requested that the Examiner initial and return the previously submitted form 1449's, or indicate in the next office communication that the IDS' were never received, to allow a timely re-submission.

IV. Request for Reconsideration

Applicants respectfully submit that the claims of this application are in condition for allowance. Accordingly, reconsideration of the rejection and allowance is requested. If a conference would assist in placing this application in better condition for allowance, the undersigned would appreciate a telephone call at the number indicated.

Respectfully submitted,
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Amended Claims (Clean)

14 (One Time Amended) A wireless communication unit for making communication in accordance with a charge rate notified by a wireless controller, comprising:

memory means for storing the charge rate which is set by a user;

reception means for receiving from said wireless controller information regarding the charge rate for communication within a wireless cell controlled by said wireless controller; and

display means for providing display based on the charge rate stored in said memory means and the charge rate received by said reception means.

27 (One Time Amended) A method for controlling a wireless communication unit for making communication in accordance with a charge rate notified by a wireless controller, comprising:

a storage step of storing a charge rate which is set by a user;

a reception step of receiving from said wireless controller information regarding the charge rate for communication within a wireless cell controlled by said wireless controller; and

a display step of providing display based on the charge rate stored in said storage step and the charge rate received in said reception step.